S.B.Cr. Misc. Interim Bail App. No.5810/2007
(Gopal Nath Vs. State of Raj.)

Date of order : 28.11.2007

HON'BLE MR.H.R.PANWAR, J.

Mr. B.N. Kalla for the petitioner.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned .

By the instant bail application moved under Section 439 Cr.P.C., the petitioner seeks interim bail on the ground to attend the marriage of his brother.

From perusal of the order impugned, it appears that huge quantity of Opium was recovered from the petitioner. Not only the Opium, even Heroin and brown sugar more than 35 to 40 Kgs. have also been recovered from him. In these circumstances, it is highly unsafe to release the petitioner on interim bail, when the contraband recovered is commercial quantity and the provisions of Section 37 of the NDPS act also attract to the instant case.

The interim bail application filed by the petitioner under Section 439 Cr.P.C. is, therefore, dismissed.

(H.R.PANWAR), J.

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